

ORDINANCE NO. 264

AN ORDINANCE APPROVING THE ANNEXATION OF
"THIRTEENTH ADDITION"

WHEREAS, on the 15th day of November, 1939, a petition was presented and filed with this City Council, due publication of notice of intention to circulate the same being proven by affidavit on file and of record with the City Clerk, asking that certain inhabited new territory therein described be annexed to the City of Lodi and that an election be called and held in said territory upon the question whether said territory should be annexed to, incorporated in and made a part of the City of Lodi and the property therein be, after such annexation, subject to taxation equally with property in said City to pay that portion of the bonded indebtedness of the City of Lodi issued and outstanding at the date of said petition for annexation or theretofore authorized, and,

WHEREAS, after the filing of said petition the City Clerk of this City reported that the signatures annexed thereto were in excess of one-fourth ($\frac{1}{4}$) of the number of electors residing in said proposed new territory, and this City Council did on the 6th day of December, 1939 pass and adopt its Resolution No. 1011 wherein the hour of 8:00 o'clock P.M. of Wednesday, January 3, 1940, and the Council Chambers of this City Council in the City Hall of the City of Lodi were designated as the time and place where and when objections would be heard from property owners in the proposed new territory to annexation of the same. Said resolution No. 1011 also contained among other things a declaration of this City council of its intention to call an election in said territory in not less than fifty (50) days from the date of the adoption thereof upon the question of whether the property in said territory shall be annexed to said City and after said annexation be taxed equally with the property now in the City of Lodi to pay that portion of the bonded indebtedness of said City issued and outstanding at the date of such election, and a copy of said Resolution No. 1011 was published in time, form and manner as required by law in the Lodi Times, a newspaper of general circulation printed and published in the City of Lodi, as is evidenced by the affidavit of Ruth S. Durfey, the principal clerk of the publisher of said Lodi Times now on file and of record in the office of the City Clerk of this City, and,

WHEREAS, no objections were received up to and including the date so set for hearing or at any postponement thereof and this City Council having therefore acquired jurisdiction so to do, did, on the 3rd day of January, 1940 pass and adopt its Resolution No. 1018 ordering and calling and giving notice of a special election to be held in the said proposed new territory on Tuesday, the 30th day of January, 1940, and;

WHEREAS, due and proper notice of said election was given by publication of a notice thereof for once each week for the four (4) weeks next preceding the date set for the said election in the "Stockton Record" a newspaper of general circulation printed and published in San Joaquin County outside the City of Lodi, as is evidenced by the affidavit of Earl Lenfestey on file and of record in the office of the City Clerk of this City, and,

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WHEREAS, said election was held and conducted in accordance with law and the provisions contained in Resolution No. 1018 on the said Tuesday, the 30th day of January, 1940 and the votes cast thereat received and counted and the returns thereof transmitted to this City Council who did thereafter, at its next regular meeting held next after three days from the date of said election, to-wit, held on Wednesday, February, 7, 1940 canvass the return of said election and declare the result thereof and as a result of said canvass this City Council herein finds and declares that the total number of votes cast at said election was thirty-three (33); that the total number of votes cast in favor of the proposal and for annexation was Twenty-one (21); that the total number of votes cast against the proposal and against said annexation was Twelve (12); and that the necessary majority of votes required by law were cast in favor of the proposal and for annexation, now therefore,

The city Council of the City of Lodi does ordain as follows:

Section 1: That the annexation to the City of Lodi of the following described inhabited, unincorporated territory designated as "Thirteenth Addition" be, and the same is hereby approved, ratified and confirmed which said territory is contiguous to the City of Lodi, County of San Joaquin, State of California and is particularly bounded and described as follows:

Commencing at the point of intersection of the present northerly boundary line of the city of Lodi with the east line of North Church Street, and running thence Northerly on and along the said east line of North Church Street and its northerly projection to the north line of the Woodbridge Road (Turner Road), thence Westerly on and along the said north line of Woodbridge Road to a point on the same distant 1021.65 feet westerly and 44.70 feet northerly from the NW corner of the NE $\frac{1}{4}$ of Section 2, Township 3 North, Range 6 East, (such point being the SE corner of the land of L. T. Mason in the SW $\frac{1}{4}$ of Section 35 Township 4 North, Range 6 East), thence Northerly along the East line of L. T. Mason and its Northerly project on a course N 0 degrees 21' W to a point on the south bank of the Mokelumne River, thence Westerly, down stream, along the south bank of said river, following the meander line thereof, to the northwest corner of the lands of the City of Lodi commonly designated "Lodi Municipal Lake Park," thence Southerly, following the Westerly boundary line of said park lands to a point on the township line between Townships 4 North and 3 North, M. D. B. & M., thence Westerly along the said township line to its intersection with the northerly boundary line of the right of way of the Woodbridge Branch Railroad line of the Southern Pacific Company, thence Southeasterly along the said northerly boundary line of said right of way to its intersection with the west line of the NE $\frac{1}{4}$ of Section 2, Township 3 North, Range 6 East, thence Northerly along the said west

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line to its intersection with the south line of Louie Avenue in "Burr's Addition to Lodi" extended westerly, thence Easterly, on and along the said south line of Louie Avenue and its westerly extension to its intersection with the east line of Grant Avenue in said Burr's Addition, thence Easterly, Northerly, Easterly, Northerly and Easterly following the present boundary Line of the City of Lodi to a point on the west line of North Church Street, thence Southerly along the said west line of North Church to its intersection with the north line of Louie Avenue, thence Easterly, across North Church Street to the east line thereof and the point of beginning of the district of lands herein described..

Section 2: That the property within said territory shall from the date of the annexation thereof be subject to taxation equally with the property within said City of Lodi to pay all of the bonded indebtedness of said City outstanding at the date of the filing of said petition of annexation and at the date of the first publication of the notice of election as the amounts of said bonded indebtedness are set forth in the said Notice of Election.

Section 3: That the City Clerk of this City shall forthwith upon the taking effect of this Ordinance make and certify under the seal of the City of Lodi and transmit to the Secretary of State of the State of California a copy of this Ordinance giving the date of its passage; he shall also file the affidavit and map required by Chapter No. 472 Stats., 1939 with the County Recorder of San Joaquin County, California.

Section 4: This Ordinance shall take effect and be in full force and effect at the times and in the manner provided by law.

I hereby approve and sign the foregoing Ordinance No. 264 this 21st day of February, 1940.

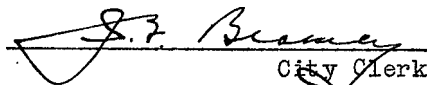
W. A. SPOONER
Mayor of the City of Lodi.

ATTEST :

J.F. BLAKELY
City Clerk.

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I hereby certify that the foregoing Ordinance No. 264 was regularly introduced on Wednesday, February 7, 1940 and thereafter finally passed and adopted at a regular meeting of the City Council held Wednesday, February 21, 1940 and that the same has been published according to law.


City Clerk